

# Hawaiian Gazette.

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HAWAIIAN GAZETTE, FRIDAY, FEBRUARY 9, 1906. —SEMI-WEEKLY.

WHOLE 2771

## ANIN IN JAIL FOR NEW CASE OF CONTEMPT

### Judge Lindsay Commits Him for Three Days for Violating Oath of Secrecy.

Last night Anin lay in Oahu Prison, under sentence for contempt in having revealed what had taken place in the grand jury room to persons outside, in violation of his oath.

There was a scurrying among the attorneys of the Chinese after his commitment by Judge Lindsay, and late in the evening a petition for a writ of habeas corpus was presented to Chief Justice Frear of the Supreme Court in behalf of Anin, and the Judge granted the writ, making it returnable at ten o'clock this morning.

An application for release on bail was presented with the petition, but was not allowed.

Unlike Anin's previous contempt, for which he was committed on Thursday week, this is not a kind to be purged. It must be expiated. Then it was the refusal to answer a question put to him by the grand jury. Now it is the revealing of his evidence before the grand jury, contrary to the oath of a witness, to persons outside. A special report of the grand jury on the matter was presented to Judge Lindsay, who, on motion of the Attorney General, gave summary judgment of contempt against Anin and sentenced him as above stated.

It was all over before Anin's legal advisers could be brought upon the scene, though they arrived there in quick time. Whether the commitment will be set aside on habeas corpus proceedings remains for today's events to tell.

The story is fully told below in the grand jury's report and an account of the court proceedings.

### GRAND JURY'S REPORT.

To the Honorable Alexander Lindsay, Second Judge of the Circuit Court of the First Judicial Circuit, Territory of Hawaii.

The Grand Jury, duly empaneled and sworn, in and for the Circuit Court of the First Judicial Circuit, Territory of Hawaii, at its January A. D. 1906 term, comes now here into Court and presents to Your Honor the following:

1. That on the 8th day of said day, D. 1906, in the forenoon of said day, here duly appeared before this Grand Jury one Yung Nin, otherwise known as Y. Anin, to testify as a witness for the Territory of Hawaii, in a matter duly pending before said Grand Jury, to wit, a charge against one John Doe of the offense of maintaining and conducting a lottery known as "che-fa."

2. That there was duly administered to said Yung Nin otherwise known as Y. Anin, the following oath, which heretofore was by the Honorable W. Robinson, Third Judge of the Circuit Court of the First Judicial Circuit, Territory of Hawaii, prescribed as a form of oath to be administered to witnesses appearing before this Grand Jury. The oath is as follows:

"You do solemnly swear that the evidence which you shall give before the Grand Jury shall be the truth, the whole truth and nothing but the truth, and that you will keep secret all matters and things which may come to your knowledge, including questions put to you and your answers thereto, the reason of your appearance or testimony as a witness before this Grand Jury. So help me God."

3. That this Grand Jury regularly adjourned on or about the hour of 2 o'clock in the forenoon of said day, for the purpose of taking a recess until 2 o'clock in the forenoon of said day, and the said Yung Nin, otherwise known as Y. Anin, at the time of said adjournment was notified to be and appear again before said Grand Jury, as such witness, at the adjourned hour of 2 o'clock in the forenoon of said day. That the said Yung Nin, otherwise known as Y. Anin, did appear at the said adjourned hour of 2 o'clock, and was then asked whether or not he had communicated to others the matters and things concerning which he had testified before the Grand Jury upon the adjourned day. That the said Yung Nin, otherwise known as Y. Anin, in response to said question so posed to him before said Grand Jury, did admit and aver that he has persons other than members of the Grand Jury, or the prosecuting officer appearing before said Grand Jury, or any persons connected with the Grand Jury, outside of the presence of the Grand Jury and of said prosecuting officer, and any person connected with this Grand Jury, communicated substantially what he remembered of the matters and things concerning which he had testified before said Grand Jury, in the morning of said day, and had related to said persons what he remembered of the testimony which he had given before this Grand Jury upon said occasion.

4. That Honorable T. H. Frear, Chief Justice of the Supreme Court, on the 8th day of February, 1906, after the matters and things hereinbefore stated had been reported by said Grand Jury to said Judge, and no good cause being shown to the court by the said Yung Nin, otherwise known as Y. Anin, why he should not be punished for contempt, for disclosing the secrets of the said Grand Jury as above set out.

5. That the court, therefore, is hereby ordered and adjudged that the said Yung Nin, otherwise known as Y. Anin, is guilty of contempt of this court, and he is hereby sentenced to imprisonment in the Honolulu Jail for the term of three (3) days, without hard labor.

And it is ordered that he, the said Yung Nin, otherwise known as Y. Anin, stand committed to the custody of the High Sheriff of the Territory of Hawaii for the purpose of carrying into effect this sentence.

## JACK WILL TAKE HOLD NO TEACHING BUT ENGLISH

### Transfer of Authority to Take Place Today.

### Schoolhouses Cannot Be Used for Foreign Schools.

Today Governor Carter will sign the letter that will turn the government of the Territory over to Secretary Atkinson pending his own disability, and Jack will climb up on the lid. This transfer will take place as soon after the Alameda reaches port as it can be effected.

As soon as the steamer is reported, the Carter automobile will be sent down to the Oceanic wharf, and the Secretary will be on his way to the Governor's residence on Judd street almost as soon as he steps off the gang plank. He will be shown to the Governor's room there at once, being the only person save members of the family, the nurses and the physicians to be admitted to the patient's presence, and the formal transfer of authority will take place then.

A letter has been prepared by Dr. Judd, the attending physician, certifying to Governor Carter that he is, in the doctor's opinion, incapacitated by illness from the performance of the duties of his office. This will be handed over. The Governor will then sign the letter to Secretary Atkinson, which has also been prepared in the usual form, asking him to take charge as Acting Governor, and Atkinson, as in duty bound, will send formal notice of the transfer of authority to the Secretary of the Interior. And then the change will be complete.

Governor Carter has said that he would sign the letter that has been prepared for him to sign. He would have signed it yesterday, as it had at first been planned for him to do, but that it was deemed wiser on second consideration to not even have a day's interim. If the Governor signed away authority before the Secretary arrived, there were some possibilities of complications.

Also, the Governor himself expressed a desire to see and talk to Secretary Atkinson before the formal transfer was made. The Governor has at no time during his illness expressed any purpose to resign, and will not resign. The only thing at all looking to that was the remark he made when informed that Judge Robinson had been appointed, namely, "That settles it." And that remark is capable of several interpretations.

It is perhaps true that some members of the Governor's family have desired him to lay aside the cares of office. The Governor himself, at times, has expressed the wish to do that. But he has no such purpose now. On the contrary, he has a strong desire to stay and see the immigration business through. Governor Carter has expressed the conviction that the labor fight would be a long and hard one, and he has likewise expressed his determination to be in at the finish. And there is no reason to suppose that illness has altered this purpose in the least degree.

The Governor was reported not quite so well yesterday. There was no recurrence of dangerous symptoms, but he is very weak yet, and it is only with the greatest difficulty that he is even able to talk.

### EARTHQUAKE IN TOKIO.

A prolonged shock of earthquake was experienced in Tokio near 11 o'clock last night. No serious damage is reported. The earthquake last Sunday night was strongest in Kanto Province. The area of seismic disturbance extended from the southern part of Hokkaido to Hiroshima district, covering about 34,000 square miles. At Tokio, the tremor began at 10:51 p. m., and lasted 7 minutes 30 seconds. The heaviest shock occurred 40 seconds after the commencement of the earthquake, and recorded 44 mm. of horizontal movement and 3 mm. of vertical movement. —Japan Times, Jan. 26.

### THE MOLOKANS.

James B. Castle received a cablegram from Mr. Thiele last yesterday afternoon saying that 65 families of Molokans are coming on the China. A special train from Los Angeles will carry them to the steamship dock. The China should arrive here on the 19th.

C. H. Smith, consulting engineer for Lord & Belsor, returned in the Doric from Manila. That firm's contract on the Manila water works is for \$454,000. Mr. Smith says that Manila is dead and that the Philippines are ill-disposed toward Americans.

And whereas the said Yung Nin, otherwise known as Y. Anin, being present in the court room of the Honorable Alexander Lindsay Jr., Second Judge of the Circuit Court of the First Judicial Circuit, Territory of Hawaii, on the afternoon of said 8th day of February, 1906, after the matters and things hereinbefore stated had been reported by said Grand Jury to said Judge,

And no good cause being shown to the court by the said Yung Nin, otherwise known as Y. Anin, why he should not be punished for contempt, for disclosing the secrets of the said Grand Jury as above set out.

Now, therefore, it is hereby ordered and adjudged that the said Yung Nin, otherwise known as Y. Anin, is guilty of contempt of this court, and he is hereby sentenced to imprisonment in the Honolulu Jail for the term of three (3) days, without hard labor.

And it is ordered that he, the said Yung Nin, otherwise known as Y. Anin, stand committed to the custody of the High Sheriff of the Territory of Hawaii for the purpose of carrying into effect this sentence.

The Board of Education met yesterday and decided that public school houses could not be used for the promotion of education in foreign tongues. The matter came up on an application presented through Mr. Goodale of Ewa, from a Japanese who wanted the use of the schoolhouse there after school hours to open a school for the Japanese children of the plantation.

All the members of the Board were present at the meeting save Mr. Wright, who was reported sick, and when the Goodale letter was read the Superintendent said that he had replied that he did not think the Board would permit the use of the school building for any other purpose than the teaching of English branches, and that therefore the request would in all probability be denied.

Upon this report Mr. Farrington made a motion that the letter of the Superintendent be approved, and Mr. Atkinson seconded the motion, both gentlemen expressing themselves of the opinion that it was not wise to permit any education other than in English to be carried on in the schoolhouses. "If we do this," said Mr. Atkinson, "the Chinese will make the same request, and other nationalities will follow. It will be merely opening the door."

Mr. von Holt held this view likewise, and the Farrington motion prevailed.

### TEACHERS' COMMITTEE REPORT.

The meeting opened with the usual forms, and the first business after the reading of the minutes was the presentation and approval of the following recommendations of the Teachers' Committee:

That a life certificate be granted Miss Bertha Ben Taylor.

That Mrs. Vierra of the Kaapahu school be granted six weeks leave of absence, from Jan. 8th, on account of ill health. And that Mrs. Wm. Onley be appointed as substitute.

That Miss Menick be transferred from Waioli to Kamaoia school at a salary of \$24.00 per month.

That Miss M. C. McCorrison be released.

That Miss Gertrude McCorrison be transferred from Kamalo to Kalihewa school at \$42.50.

That J. B. Kuhns be appointed as principal at Kamalo vice Miss McCorrison at a salary at \$42.50.

That application of Miss Lydia May be placed on file.

That resignation of Mrs. W. A. Anderson be accepted.

That Miss Maud Lovejoy be appointed temporarily as teacher of English in the High school at a salary of \$30.00.

That the request of Miss de Carmo and Miss de Lima to leave three days early be granted on condition of their making up the extra time by teaching on Saturdays or holidays.

That the resignation of Miss McCrossen, who leaves on account of small salary to accept a position more commensurate with her needs, be accepted.

That Miss M. H. Douglas be appointed temporarily to Miss McCrossen's position at a salary of \$44.00.

That Miss Blanche Horner be granted leave of absence for five months from Feb. 5, and that Mrs. Kenway be appointed principal in her place at her present salary.

That Miss Maud Horner be appointed assistant at two-thirds of Miss Blanche Horner's salary for two months and at a salary of \$42.50 for the remainder of the time.

### LEAVES OF ABSENCE.

That leave of absence for one month be granted Mrs. Capellas, assistant Hakalau school, and that Miss Farquhar or J. B. Oliver be appointed substitute.

That resignation of Miss M. B. Fountain of Lihua school be accepted.

That Miss Kahala be appointed assistant in the Lihua school vice Miss Fountain resigned, at a salary of \$25.00.

That resignation of Mrs. Rhodes be accepted.

That Mrs. L. N. Smith be appointed principal of Naupia vice Mrs. Rhodes resigned, at a salary of \$60.00.

That Mrs. Eldora Deacon be appointed assistant at Waioli school vice Mrs. Smith transferred, at a salary of \$44.00.

That resignation of Miss Laughlin be accepted.

That Miss Ekstrand be transferred from Waimanalo to Waioli school vice Miss Laughlin resigned, at a salary of \$44.00.

That Miss Marcos be granted leave of absence for one week as requested.

That Miss Elizabeth Cameron be appointed assistant in the new room at the Boys' school at a salary of \$40.00.

That Mrs. Jack Bergstrom be appointed substitute for Miss Anna Sorenson, assistant Royal school.

That Rev. Kaumehiwa be appointed temporary assistant in the Hana school at a salary of \$30.00 a month, vice D. P. Kanewala resigned.

That Miss Lillian Pihl be appointed principal of Nonokowai at a salary of \$35.00.

That Mrs. Weir be transferred from Moiliili to Waipahu school, at a salary of \$44.00.

That Miss A. J. Gault be transferred from Waipahu school to Moiliili school at a salary of \$42.50.

(Continued on Page 5.)

## TO RISE IN THE SPRING

### The Revolutionists of Russia Are Preparing to Do Things When the Snow Melts and the Weather Moderates—The Chief of Police of Penza Murdered.

(Associated Press Cablegrams.)

ST. PETERSBURG, February 9.—The revolutionists are preparing for an uprising in the spring. The workmen's council has been disbanded. The Chief of Police at Penza has been murdered.

It becomes more and more apparent with each day's advices received from Russia that Witte and the Czar are not to be permitted to have their way in the bringing about of a peaceful revolution. Yesterday's cablegrams announced the arrest of twenty anarchists in St. Petersburg, and that the insurance companies had declined to make good losses incurred from fires set by revolutionists. Only a few days before news came of the execution of a number of revolutionists. That expectations are not confined to the government, however, is clear from the murder of the chief of police of Penza. The Czar can strike—but the people of Russia strike back, now.

## WIFE MURDERER HOCH IS DOOMED TO HANG

CHICAGO, February 9.—The Supreme Court has denied Murderer Hoch a reprieve, and he will be hanged on February 23d.

Johann Hoch was arrested in New York as a wholesale bigamist on the 30th of January, 1905, the cables stating that he was supposed to have had more than twenty wives. Later developments showed the man to be one of the most remarkable criminals of the age. He was found to have married not less than twenty-two women, most of whom he murdered for their money, using poison as the agent of death.

He was identified, and his doom was sealed by Mrs. Fink, a woman whom he had married in Chicago, which city was the scene of the murder that the police finally succeeded in fixing upon him. Mrs. Fink was married to Hoch, who began his matrimonial career in 1897, in 1902. Immediately after the wedding he asked her to put her property in his name, but she refused. Then, hearing that he had another wife living, she left him, thus probably escaping death. Mrs. Fink said when she identified him that Hoch was a mesmerist, and that he hypnotized his victims and compelled them to do his bidding.

## OHIO FIXES RAILWAY RATES AT TWO CENTS PER MILE

COLUMBUS, Ohio, February 9.—The Governor has signed the bill fixing railway passenger rates at two cents per mile.

A number of states have fixed maximum rates for the carrying of passengers by railways, among them California, which has a three cent rate, although the law there has been rather more honored in the breach than in the observance. The trouble with railway rates fixed by state law is that they are generally disregarded by the inter-state roads, and so the object sought to be reached by the legislators can not be altogether accomplished. It was because of this condition, with reference to both freight and passenger carriage, that President Roosevelt was led to take up the railway rates matter and press it so earnestly upon the attention of Congress.

## JAPANESE WAR TAX BILL PASSED BY LOWER HOUSE

TOKIO, February 9.—The bill providing for the continuation of the war taxes has passed the House of Representatives by a vote of 221 to 215.

Rather a close vote upon an important measure, but it means that one house of the Japanese Parliament realizes that there is a huge war debt to be met, and is willing to be responsible for compelling the people to pay taxes to meet it.

## PENSIONS BILL PASSES HOUSE.

WASHINGTON, February 9.—The House has passed the Pensions Bill, carrying appropriations amounting to one hundred and thirty-nine millions of dollars.

### AFTERNOON REPORT.

WASHINGTON, D. C., February 8.—The Hawaii business delegates, headed by Delegate Kuhio and W. O. Smith, called on President Roosevelt today and discussed Hawaiian interests.

WASHINGTON, D. C., February 8.—The Urgent Deficiency Bill, reported to the Senate today, includes \$30,000 for the Honolulu Quarantine Station.

WASHINGTON, D. C., February 8.—The bill against railroad rebates passed the House today by a vote of 346 to 7. This bill, which now goes to the Senate, is the great source of contention in the present session of Congress.

RIO DE JANEIRO, February 8.—The duties on sugar have been reduced to 900 milreis.

ROME, February 9.—The Cabinet has announced Baron Sonnino as Premier.